

COMMISSION MEETING

THURSDAY, MAY 27, 2010

PRESENT: **W. SCOTT BIAS, PRESIDENT**
ROBERT L. BAILEY, COMMISSIONER
NANCY CARTMILL, COMMISSIONER
WILLIAM WATSON, COUNTY ATTORNEY
STEPHEN ZOELLER, COUNTY MANAGER
SHARON ROSS, ASSISTANT COUNTY MANAGER
FOR BILLABLES AND PAYABLES
CHRIS TATUM, ASSISTANT COUNTY MANAGER
FOR PERSONNEL AND PURCHASING

W. Scott Bias, President, called the regular meeting of the Cabell County Commission to order at 10:00 a.m.

APPROVE:

Nancy Cartmill, Commissioner, **moved to approve the agenda as presented.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve purchase orders #10-23891 through #10-24303 and pay jackets.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

Nancy Cartmill, Commissioner, **moved to approve the minutes from the April 29, 2010 regular Commission meeting, May 13, 2010 regular Commission meeting, erroneous assessments, land consolidations, split tickets and probate documentation.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

Robert L. Bailey, Commissioner, **moved to approve handwritten checks to Mountain State Blue Cross and Blue Shield Company and Fort Dearborn Medical Life, not to exceed \$100,000.00, from the Cabell County Medical Insurance Fund.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#171 OTTIE ADKINS, ASSESSOR

RE: CERTIFICATION OF LAND BOOKS

CERTIFICATIONS FOR REAL ESTATE AND

PERSONAL PROPERTY

Robert L. Bailey, Commissioner, **moved to approve the Certification of Land Books and the Certifications for Real Estate and Personal Property.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

THURSDAY, MAY 27, 2010

PAGE TWO

#172

LETTER, THOMAS W. MCCOMAS, SHERIFF

**RE: APPROVAL/ACCEPTANCE OF 2009 DELINQUENT
TAX LIST**

Nancy Cartmill, Commissioner, **moved to approve the 2009 Delinquent Tax List.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#173

LETTER, KAREN COLE, COUNTY CLERK

RE: EMPLOYMENT

Robert L. Bailey, Commissioner, **moved to approve of the employment of Natalie Ann Nida as a temporary full time Deputy Clerk, retroactive to May 24, 2010.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#174

RESOLUTION, CABELL COUNTY COMMISSION

**RE: IN THE MATTER OF THE PLEDGING OF
COLLATERAL BONDS BY FIRST SENTRY BANK**

Nancy Cartmill, Commissioner, **moved to approve the Pledging of Collateral Bonds by First Sentry Bank.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **(EXHIBIT)**

#175

APPEARING, STEVE STEWART, APPALACHIAN POWER

COMPANY

RE: REQUEST FOR RATE INCREASE

Steve Stewart and Jim Fawcett, Appalachian Power Company Representatives appeared before the Commission to explain the request for a rate increase. Mr. Fawcett made a presentation and then answered questions from the Commission.

Robert L. Bailey, Commissioner, **moved to approve sending a letter to the Public Service Commission stating the Cabell County Commission objected to the proposed rate increase.** Motion died for lack of seconded.

President Bias and Commissioner Cartmill wanted more information before making a decision.

THURSDAY, MAY 27, 2010

PAGE THREE

#176

LETTER, CABELL COUNTY COMMISSION

RE: FY 2006 CABELL COUNTY WATERLINE EXTENSION

PROJECT DRAWDOWN #15 - \$91,124.18 #06SCBG0057

Chris Tatum, Assistant County Manager, informed the Commission that this project had been completed.

Nancy Cartmill, Commissioner, **moved to approve Drawdown Request #15 for the Waterline Extension Project.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#177

LETTER, CABELL COUNTY COMMISSION

RE: RESTORATION, CABELL COUNTY COURTHOUSE

CENTRAL CLOCK TOWER NOTICE OF AWARD OF

BID, NOTICE TO PROCEED AND AGREEMENT

Robert L. Bailey, Commissioner, **moved to approve the low bid from General Restoration for \$84,780.00 for restoration of the clock tower.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#178

LETTER, CABELL COUNTY COMMISSION

RE: NOTICE OF AWARD OF BID AND AGREEMENT

ONE (1) 2010 FORD F-53 SUPER DUTY MOTOR

HOME CHASSIS VEHICLE

Nancy Cartmill, Commissioner, **moved to approve the low bid from Farber Specialty Vehicles for \$178,000.00.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

**#179 LETTER, RESOLUTION AND GRANT AGREEMENT,
CABELL COUNTY COMMISSION**

**RE: 2010-2011 RECORDS GRANT AGREEMENT FOR
RECORDS MANAGEMENT**

Connie Gray, Administrator for Grants, Planning and Permits, informed the Commission the funds from this grant would be used by the County Clerk for the purchase of a Lektriever.

Nancy Cartmill, Commissioner, **moved to approve the agreement with the Division of Culture and History, in the amount of \$13,000.00, for the purchase of a Lektriever for the County Clerk's Office.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (B)**

THURSDAY, MAY 27, 2010

PAGE FOUR

#180 LETTER, RESOLUTION AND GRANT CONTRACT

**RE: FY 2010 COMMUNITY PARTICIPATION GRANT
PROGRAM COLLIS P. HUNTINGTON RAILROAD
PASSENGER CARS PROJECT #10LEDA0031-\$10,000.00**

Mrs. Gray informed the Commission that these funds would be used to make repairs and upgrades to the rail passenger and lounge cars.

Robert L. Bailey, Commissioner, **moved to approve the grant contract, in the amount of \$10,000.00, for the Collis P. Huntington Railroad Historical Society.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (C)**

#181 LETTER, RESOLUTION AND APPLICATION

RE: PROJECT SAFE NEIGHBORHOODS FY 2010-2011

Mrs. Gray stated the funds from this grant would be used by the Prosecuting Attorney's office for the continuation of employment of a Gun and Anti-Gang Prosecutor.

Nancy Cartmill, Commissioner, **moved to approve the grant application, in the amount of \$37,384.00, for the Prosecuting Attorney's office.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (D)**

#182 LETTER, RESOLUTION AND GRANT CONTRACT

RE: FY 2010 COMMUNITY PARTICIPATION GRANT

PROGRAM LITERACY WEST VIRGINIA FOR THE

TRI-STATE PROJECT #10LEDA0624-\$2,000.00

Mrs. Gray stated the funds from this grant would be used to purchase educational materials for an adult literacy program.

Nancy Cartmill, Commissioner, **moved to approve the grant contract, in the amount of \$2,000.00, for the Tri-State Literacy Council.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (E)**

#183

LETTER, CABELL COUNTY COMMISSION

RE: FY 2007, 2008, 2009 COMMUNITY PARTICIPATION

GRANT PROGRAM RENEWAL OF CONTRACTS

VARIOUS PROJECT NUMBERS

Mrs. Gray informed the Commission that this item would be a request for extension of twenty-nine various grants.

THURSDAY, MAY 27, 2010

PAGE FIVE

Nancy Cartmill, Commissioner, **moved to approve the request for extension of the twenty-nine different grants.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#184

AGREEMENT, CABELL COUNTY COMMISSION AND

WEST VIRGINIA STATE AUDITOR'S OFFICE

RE: LOCAL GOVERNMENT PURCHASING CARD

PARTICIPATION

Stephen Zoeller, County Manager, explained this would be an agreement between the Commission and the State Auditor's office for the use of credit cards for the payment of goods purchased by the county. Mr. Zoeller stated that only Sharon Ross and Rhonda Montanez would be issued cards.

Robert L. Bailey, Commissioner, **moved to approve the agreement with the State Auditor's office for the use of credit cards by Sharon Ross and Rhonda Montanez and that no cards would be issued unless approved by the Commission.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (F)**

#185

DISCUSSION/ACTION:

RE: LETTER, NATIONWIDE INSURANCE COMPANY

DISTRIBUTION OF INVESCO FUNDS GROUP, INC.,

SETTLEMENT

Stephen Zoeller, County Manager, stated this reimbursement would only affect sixteen people and the refund would be approximately \$10.00 per person. Mr. Zoeller further stated that the county was under no legal obligation to disburse the funds.

Nancy Cartmill, Commissioner, **moved to approve placing the reimbursement from Nationwide Insurance in the General Fund.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

#186

APPEARING, ROBERT Q. SAYRE, JR.

RE: MOTION FOR APPOINTMENT OF ADMINISTRATOR

FOR THE ESTATE OF LYNDEN B. MASSIE

Robert Sayre, Attorney representing Jessica B. Tackett, appeared before the Commission requesting that the Sheriff be appointed as Administrator of the Estate of Lynden B. Massie. Mr. Sayre stated the Mr. Massie had been deceased for more than two months and there had been no activity regarding the estate.

THURSDAY, MAY 27, 2010

PAGE SIX

Robert L. Bailey, Commissioner, **moved to approve the appointment of the Sheriff of Cabell County as the Administrator of the Estate of Lynden B. Massie.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#187

DISCUSSION/ACTION:

RE: ALLOCATION OF ECONOMIC DEVELOPMENT FUNDS

**TO WALNUT HILLS NEIGHBORHOOD ASSOCIATION
\$600.00**

Robert L. Bailey, Commissioner, **moved to approve the allocation of \$600.00 to the Walnut Hills Neighborhood Association.** Nancy Cartmill, Commissioner, Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

#188

RESOLUTION, GENERAL FUND, COUNTY BUDGET

REVISION #14, FY 2009-2010

Robert L. Bailey, Commissioner, **moved to approve General Fund County Budget Revision #14.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (G)**

#189

RESOLUTION, GENERAL FUND, STATE BUDGET

REVISION #14, FY 2009-2010

Nancy Cartmill, Commissioner, asked if the County Clerk's election overtime was in the budget and Mr. Zoeller replied that the overtime was not included in the revision.

After a discussion, Nancy Cartmill, Commissioner, **moved to approve General Fund State Budget Revision #14 and to include the County Clerk's election overtime in the revised budget.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous. **Exhibit (H)**

#190

EXECUTIVE SESSION

RE: BREOF MIDWEST LITIGATION

Robert L. Bailey, Commissioner, **moved to go into Executive Session to discuss pending litigation.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

The Commission recessed the meeting at 10:55 a.m.

The Commission reconvened the regular meeting at 11:10 a.m., with no action taken.

THURSDAY, MAY 27, 2010

PAGE SEVEN

Nancy Cartmill, Commissioner, **moved to approve authorizing William Watson, County Attorney, to make a settlement with BREOF Midwest.** Robert L. Bailey, Commissioner, seconded the motion and the vote was unanimous.

PLACE ON RECORD

Robert L. Bailey, Commissioner, **moved to place on record the minutes from the Cabell County Regional Plant Operating Committee, Inc., Regular Meeting, February 18, 2010; Cabell County Regional Plant Operating Committee, Inc., Emergency Meeting, January 22, 2010; Culloden Public Service District, Special Meetings, March 3, 2010 and April 7, 2010; Culloden Public Service District, Regular Meetings, March 17, 2010 and April 21, 2010; Pea Ridge Public Service District, Regular Meeting, April 12, 2010; Salt Rock Sewer Public Service District, Regular Meetings, February 9, 2010, February 23, 2010, March 9, 2010, March 23, 2010; Salt Rock Water Public Service District, Regular Meeting, April 13, 2010 and OTHER DOCUMENTATION TO BE RECORDED Cabell-Huntington Health Department, Clinic Monthly Reports, February, 2010 and March, 2010; Salt Rock Sewer Public Service District, Sewer Budget, Fiscal Year Ending June 30, 2011 and The Bank of New York Mellon, Various Trust Accounts, April 30, 2010.** Nancy Cartmill, Commissioner, seconded the motion and the vote was unanimous.

W. Scott Bias, President, adjourned the Cabell County Commission meeting at 11:31 a.m., until the next regular scheduled meeting on Thursday, June 10, 2010, at 10:00 a.m.

PRESIDENT, COUNTY COMMISSION

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